

# Washington, Tuesday, March 22, 1938

### PRESIDENT OF THE UNITED STATES.

ARMY DAY

By the President of the United States of America

A PROCLAMATION

WHEREAS Senate Concurrent Resolution 5, 75th Congress, 1st Session (50 Stat. 1108), provides:

"That April 6 of each year be recognized by the Senate and House of Representatives of the United States of America as Army Day, and that the President of the United States be requested, as Commander in Chief, to order military units throughout the United States to assist civic bodies in appropriate celebration to such extent as he may deem advisable; to issue a proclamation each year declaring April 6 as Army Day, and in such proclamations to invite the Governors of the various States to issue Army Day proclamations: Provided, That in the event April 6 falls on Sunday, the following Monday shall be recognized as Army Day."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, pursuant to the aforesaid Concurrent Resolution, do hereby declare April 6, 1938, as Army Day, and I hereby invite the Governors of the several States to issue Army Day proclamations; and, acting under the authority vested in me as Commander in Chief, I hereby order military units throughout the United States, its Territories and possessions, to assist civic bodies in the appropriate observance of that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be

affixed.

DONE at the city of Washington this 18" day of March, in the year of our Lord nineteen hundred and thirty-[SEAL] eight, and of the Independence of the United States of America the one hundred and sixty-second.

FRANKLIN D ROOSEVELT

By the President: CORDELL HULL Secretary of State.

INo. 22751

[F. R. Doc. 38-824; Filed, March 21, 1938; 11:12 a. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 49456]

CUSTOMS REGULATIONS AMENDED—VESSEL SUPPLIES
To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in sections 309 (a) and 313 (i) of the Tariff Act of 1930 (U. S. C., title 19, secs.

1309 (a) and 1313 (i)), article 1065 of the Customs Regulations of 1937; is hereby amended as follows:

Paragraph (c) is amended by deleting the word "or" in the third line; by inserting after the numeral "(7)" in the same line the following ", or (8)"; and by inserting after the numerals "1932" in the same line the following— ", as amended.".

Paragraph (g) is amended by deleting the comma in line eight after the amount "\$25" and inserting in lieu thereof the following parenthetical provision: "(or \$100 in the case of fuel oil or lubricating oil)".

[SEAL]

JAMES H. MOYLE, Commissioner of Customs.

Approved: March 16, 1938.

Stephen B. Gibbons,

Assistant Secretary of the Treasury.

[F. R. Doc. 38-822; Filed, March 21, 1938; 9:34 a. m.]

[x : xx. 200, 50 028, 2 Hed, min cd 21, 1550, 5.02 a. H

# DEPARTMENT OF THE INTERIOR.

Division of Grazing.

THE FEDERAL RANGE CODE

RULES FOR THE ADMINISTRATION OF GRAZING DISTRICTS UNDER THE ACT OF JUNE 28, 1934 [48 STAT. 1269], AS AMENDED BY THE ACT OF JUNE 26, 1936 [49 STAT. 1976] COMMONLY KNOWN AS THE TAYLOR GRAZING ACT

(Note: The Following Rules Will Supersede the Compiled Rules for the Administration of Grazing Districts, as Approved on June 14, 1937, as Far as the Heading "Fees", on Page 3, and Any Other Existing Rules Which May Be in Conflict Herewith. The Words "License" and "Licensee" as Used in All Rules Not Superseded Also Will Connote "Permit" and "Permittee.")

Sec. 1. Introductory; basic policy and plan of administration,

Par. a. Grazing districts will be administered for the conservation of the public domain and as far as compatible therewith to promote the proper use of the privately controlled lands and waters dependent upon it. Possession of sufficient land, water, or feed to insure a year-round operation for a certain number of livestock in connection with the use of the public domain will be required of all users.

Par. b. Preference applicants.—Preference in the granting of grazing privileges will be given to those applicants within or near a district who are landowners engaged in the livestock business, bona-fide occupants or settlers, or owners of water or water rights, as may be necessary to permit the proper use of lands, water, or water rights owned, occupied, or leased by them. When the demands of all such preference applicants cannot be supplied, prior consideration will

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be given certain applicants in the manner hereinafter provided. Provision will be made for other applicants in so far as Federal range remains available.

PAR. c. Permits; temporary licenses; expiration; revocation.—Permits within the meaning of section 3 of the act will be issued as soon as the necessary data for term permits can be obtained. During the intervening period, in order to provide for the existing livestock industry, the issuance of temporary licenses will be continued. Licenses issued in 1938 will be operative only during that year or for such part of 1939 as may be considered the "winter grazing season," but in no event later than July 1, 1939. Upon the issuance of permits within any district or portion thereof, any unexpired licenses in such district or portion may be terminated upon notice by the Division of Grazing. Both licenses and permits will be revocable for violation of the terms thereof.

SEC. 2. Definitions.—Wherever used in rules, instructions or interpretations issued by the Division of Grazing, unless the context otherwise requires:

(a) The act means the Taylor Grazing Act (act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), and any subsequent amendments thereto).

(b) The Federal Range Code means all of the rules pertaining to the administration of grazing districts.

(c) Federal range means land owned, leased, or otherwise controlled by the United States and administered by the Division of Grazing.

(d) Property means privately owned or controlled land or water used in range livestock operations.

(e) Base property means property used for the support of the livestock for which a grazing privilege is sought and on the basis of which the extent of a license or permit is computed, without reference to forest permits or complementary feed.

(f) Forage land means land the principal use of which is the production of natural or cultivated feed for livestock.

(g) Land dependent by use means forage land which was used in livestock operations in connection with the same part of the public domain, which part is now Federal range, for any three years or for any two consecutive years in the 5-year period immediately preceding June 28, 1934, and which is offered as base property in an application for a grazing license or a permit filed before June 28, 1938. Land will be considered dependent by use only to the extent of that part of it necessary to maintain the average number of livestock grazed on the public domain in connection with it for any three years or for any two consecutive years, whichever is the more favorable to the applicant, during the 5-year period immediately preceding June 28, 1934.

(h) Land dependent by location means forage land within or in the immediate neighborhood of the Federal range which is so situated and of such character that the conduct of economic livestock operations requires the use of the Federal range in connection with it.

(i) Animal-unit month means that amount of natural, cultivated, or complementary feed necessary for the complete subsistence of one cow for a period of one month. For the purpose of this definition, one (1) horse or five (5) goats or five (5) sheep will be considered the equivalent of one (1) cow.

(j) Carrying capacity means the amount of natural or cultivated feed grown or produced on a given area of forage land in one year, measured in animal-unit months.

(k) Full-time water means water which is suitable for consumption by livestock and available, accessible, and adequate for a given number of livestock during those months in the year for which the range is classified as suitable for use. Such water may be from one source or may be the aggregate amount available from several sources.

(1) Prior water is water which was used to service certain range for a given number of livestock during the 5-year period immediately preceding June 28, 1934. It will be considered prior water only to the extent of the greatest number of livestock that was properly grazed from it during said period. (m) Service value of water means the number of livestock

that can be grazed properly from such water.

(n) Competing water means water which is available, accessible, and adequate to service some part of the Federal range serviced by other water of the same class. In determining whether prior waters are competing, each shall be considered only to the extent that it is prior water.

(o) Complementary feed means the cultivated feed purchased by an applicant and fed to his range livestock for a period of time during which he is not using the Federal

range.

(p) Free-use applicant means an applicant who is a resident within or near a grazing district, who owns or controls property dependent by location, and who is not an applicant for a regular grazing license or permit for the purpose of carrying on livestock operations.

(q) Nonuse license or permit means a license or permit issued to an applicant who is otherwise eligible for a regular license or permit but who either elects or is required, for conservation purposes, not to have livestock on the Federal

range for a designated time.

Sec. 3. Personal qualifications of applicants.—An applicant for a grazing license or permit is qualified if he owns livestock and is

(a) A citizen of the United States or one who has filed

his declaration of intention to become such, or

(b) A group, association, or corporation authorized to conduct business under the laws of the State in which the grazing district or any part thereof in which the applicant's license or permit is to be effective is located.

SEC. 4. Rating and classification of properties.

Par. a. Base properties; classes; carrying capacity of land; service value of water.—For the purpose of determining the proper use of the base properties of all applicants and their relative dependence upon the Federal range, water conditions and other factors affecting livestock operations in the area will be considered. Base properties will be classified as land or water and further in the following manner:

Class 1.—Forage land dependent by both location and use, and full-time prior water.

Class 2.—Forage land dependent by use only, and fulltime water.

Class 3.—Forage land dependent by location only, and full-time water which otherwise would be in class 2 but which was developed later than other water servicing a part or all of the same area.

Base property which is forage land will be rated for its carrying capacity. Water will be rated for its service value by deducting therefrom the carrying capacity of half of the area serviced jointly by competing water of the same class, and the carrying capacity of all private or State land located within such service area and not owned or controlled by the applicant. In computing the service value of water in class 3, there will also be deducted therefrom the carrying capacity of any portion of its service area which is serviceable from any other full-time water antedating it in development.

Par. b. National forest grazing permits; complementary feed.—The value of national forest grazing permits and complementary feed will be computed in animal-unit months where necessary under these rules, but neither will be considered as base property.

SEC. 5. Rating and classification of Federal range.

Par. a. Carrying capacity; seasons and maximum annual period of use.—For the purpose of determining what use of the Federal range will be most consistent with conservation purposes, the carrying capacity of each administrative unit or area in a grazing district will be rated, and each will be classified for the proper season or seasons, if necessary, of its use and for the maximum period of time for which any licensee or permittee will be allowed to use the Federal range lying therein during any one year.

Par. b. Wildlife; allowance for maintenance.—In each grazing district a sufficient carrying capacity of Federal range will be reserved for the maintenance of a reasonable number

of wild game animals, to use the range in common with livestock grazing in the district.

Par. c. Segregation of ranges for particular kinds of livestock.—When the proper use of the Federal range or an orderly administration of the act requires it, certain areas may be designated as suitable exclusively for a certain kind or kinds of livestock.

Sec. 6. Issuance of licenses and permits.

Par. a. Free-use licenses and permits.—Licenses or permits first will be issued to free-use applicants for not to exceed 10 head of work or milch stock kept for domestic purposes, to be grazed on Federal range adjacent to or in the immediate neighborhood of the licensee's or permittee's property.

PAR. b. Regular licenses and permits; order of issuance; number of livestock; reductions; allotments.—Regular licenses or permits will be issued to qualified applicants to the extent that Federal range is available in the following preference order and amounts:

(1) To applicants owning or controlling land in class 1, licenses or permits for the number of livestock for which such base lands are rated for a period of time which when added to the period of use allowed on the Federal range for such livestock will equal 12 months; and to applicants owning or controlling water in class 1, licenses or permits to the extent of the service value of such water.

(2) To applicants owning or controlling base properties in class 2, licenses or permits computed in the same manner as those issued under subparagraph (1), above.

(3) To applicants owning or controlling base properties in class 3, licenses or permits computed in the same manner as those issued under subparagraphs (1) and (2), above.

In the event that Federal range remains available following the computation of licenses or permits in the foregoing manner, the licenses or permits to be issued to applicants owning or controlling any base property the use of which in connection with the Federal range is supplemented by the use of a forest permit or complementary feed will be augmented to the extent of the number of livestock which such forest permit or complementary feed would support for a period equivalent to the base-property period described above. In the event that there is insufficient Federal range to permit this maximum allowance, all such licenses or permits, irrespective of classes of base property, will be augmented in proportion to the carrying capacities of the base properties of the applicants.

PAR. c. Applicants having more than one class of property; reductions; allotments; agreements.-Nothing herein contained will prevent an applicant who owns or controls properties in more than one class from having such properties considered separately in the order and manner set forth in this section. If the issuance of licenses or permits based on properties in any particular class will exhaust the available Federal range, any junior class or classes of properties will be eliminated from consideration. If necessary to reach the carrying capacity of the Federal range either at the time of issuing licenses or permits or thereafter, reductions will be applied on an equal percentage basis. In making such reductions, the lowest class of properties will be reduced first, and no class of properties will be reduced until the properties in all lower classes have been reduced. Reductions in all cases will be made by reducing the numbers of livestock or the time on the Federal range area involved, or by both methods, provided that the regional grazier may recommend, for the approval of the Secretary of the Interior, a limit below which no license or permit in that area will be reduced. Allotments of Federal range will be made to licensees or permittees when conditions warrant and divisions of the range by agreement or by former practice will be respected and followed where practicable.

SEC. 7. Transfers of base properties and licenses or permits.

PAR. a. Transfer of base property; effect.—A transfer of a base property, whether by agreement or by operation of law, will entitle the transferee, if otherwise properly qualified, to

all or such part of a license or permit as is based on the property transferred, and the original license or permit will be terminated or decreased by such transfer.

PAR. b. Transfer of license or permit; limitation; effects; consent of owner or encumbrancer.-A license or permit based on land in class 2 may be transferred to base land in any other class, provided that the total extent of the grazing privileges based on the latter land and thereupon to be in effect, including any license or permit already in existence and based on the latter land, may not exceed that based on the carrying capacity of such land. Such a transfer must be made with the written consent of the owners and encumbrancers, if any, of the property from which the transfer is made, except that when the licensee or permittee applying for the transfer is a tenant who has used such property in connection with some part of the public domain which is now Federal range for any three years or for any two consecutive years in the 5-year period immediately preceding June 28, 1934, and without such use by him the land could not be recognized as being dependent by use, he may transfer the license or permit without the consent of the owner or encumbrancer. When a license or permit is transferred from one property to another, the former shall lose its status as dependent by use.

Sec. 8. Special rules for grazing districts,—Whenever it appears to a regional grazier that local conditions in any district in his region make necessary the application of a special rule on any of the matters in this code in order better to achieve an administration consistent with the purposes of the act, he may recommend such a rule, supported by a factual showing of its necessity, to the Secretary of the Interior for approval.

F. R. CARPENTER, Director of Grazing,

Approved: March 16, 1938,

HAROLD L. ICKES,

Secretary of the Interior,

[F. R. Doc. 38-820; Filed, March 19, 1938; 9:30 a. m.]

Office of Indian Affairs.

[Order No. 486]

ESTABLISHMENT OF ROADLESS AND WILD AREAS ON INDIAN
RESERVATIONS

OCTOBER 25, 1937.

Mechanization is growing in America with unprecedented acceleration. Activity after activity which for countless generations have been performed directly by manpower and area after area which have been subject only to the forces of nature are now dominated by machinery. To millions of Americans this constitutes an unmitigated blessing.

There are other millions who, while they appreciate the good which the machine can bring, also have an intense craving for another type of existence. They do not see why their life must be lived entirely in the world of machinery when there is ample space in this great country for another world as well. They cannot believe that with vast stretches which need not be used for the mechanical activities of our civilization, it is necessary to make every nook and corner of the country a part of the machine world and to wipe out all sizable traces of the primitive.

It is perfectly feasible to reserve for such people something of those wildnerness values which they crave. A little advance planning and a little balancing of the claims of genuine conflicting values will make it possible to save many areas from mechanization. In the past a great many ideal wilderness areas have been opened by roads which were of no necessity and which have never returned in value of service anywhere near the investment which has been put into them. Had there been a little prior thought about a reasonable balance between primitive and developed areas, these roads would not have been constructed.

From the standpoint of the Indians, it is of special importance to save as many areas as possible from invasion by roads. Almost everywhere they go the Indians encounter the competition and disturbances of the white race. Most of them desire some place which is all their own. If, on reservations where the Indians desire privacy, sizeable areas are uninvaded by roads, then it will be possible for the Indians of these tribes to maintain a retreat where they may escape from constant contact with white men.

The present Indian Service policy emphasizes giving the Indians an opportunity to work for their livelihood. One important potential source of enjoyable and remunerative work is for the Indians to guide parties on camping and pack trips. It is obvious that no one is going to require a guide to travel down a road. The possibility for Indians to make money through guiding lies in maintaining portions of their reservations in a wild enough condition so that some one visiting them might conceivably need a guide.

In spite of these important advantages of maintaining roadless areas in general and especially of maintaining them on Indian reservations, it is nevertheless true that roadless areas are rapidly vanishing. The National Resources Board defines a roadless area as one which contains no provision for the passage of motorized transportation and which is at least 100,000 acres in forested country and at least 500,000 acres in non-forested country. Under such a definition there are left in the United States only 82 forest roadless areas and only 29 non-forest roadless areas. The number of such areas on Indian reservations is even more limited. Clearly, it seems exigent to set aside as many as practicable while the opportunity remains. Consequently, I am establishing the policy that existing areas without roads or settlements on Indian reservations should be preserved in such a condition, unless the requirements of fire protection, commercial use for the Indians' benefit or actual needs of the Indians clearly demand

Under this policy, I hereby order that the following shall be established as roadless areas on Indian reservations:

Name of area	Reservation	Approxi- mate acreage
Rainbow Bridge Black Mess Grand Canyon Painted Desert Black River Wind River Mountains Columbia-San Poil Divide Mt. Thomas Mission Rauge Mess Verde Goat Rocks Mt. Jefferson	Navajo. Hualpal Navajo. San Carlos-Ft. Apache. Shosbone Colville Ft. Apache Flathead Consolidated Ute	1, 500, 00 820, 00 830, 00 825, 00 325, 00 220, 00 135, 00 125, 00 115, 00 105, 00

The boundaries of these areas are indicated in the appendix to this order,

There are certain areas, not large enough to be designated by the term roadless, from which it is nevertheless desirable to exclude provision for the passage of motorized transportation. Such tracts the National Resources Board has designated as wild areas. I hereby order that the following shall be established as wild areas on Indian reservations:

Name of area	Reservation	Approxi- mate acreage
Mt. Admas. Fort Charlotte Grand Portage Cape Flattery	Grand Portage	48,000 19,000 11,000 6,000

The boundaries of these areas are indicated in the appendix to this order.

Within the boundaries of these officially designated roadless and wild areas it will be the policy of the Interior Department to refuse consent to the construction or establishment of any routes passable to motor transportation, including in this restriction highways, roads, truck trails, work roads, and all other types of way constructed to make possible the passage of motor vehicles either for transportation of people or for the hauling of supplies and equipment. Foot trails and horse trails are not barred. Superintendents of reservations on which roadless and wild areas have been established will be held strictly accountable for seeing that these areas are maintained in a roadless condition. Elimination of any areas or parts of areas from the restriction of this order will be made only upon a written showing of an actual and controlling need.

JOHN COLLIER, Commissioner.

Approved, October 29, 1937.

HAROLD L. ICKES,

Secretary of the Interior.

#### APPENDIX

DETAILED DESCRIPTIONS OF ROADLESS AND WILD AREAS

Rainbow Bridge Roadless Area

The Rainbow Bridge Roadless Area embraces approximately 1,590,000 acres on the Navajo Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Beginning at Lees Ferry on the Colorado River, thence south along U. S. Highway No. 89 to latitude 36°30', thence east to within one-half mile of the road to the Copper District, thence in a northerly direction, keeping one-half mile from said road, to the end of said road then turning and running in a southerly direction, keeping one-half mile east of said road, to latitude 36°30', then due east to the road running from Gap to Kaibab, thence in a northeasterly direction to Kaibab along said road, thence southeasterly along road to the junction with the road to Rainbow Lodge, thence north and northwest along the Rainbow Lodge road, keeping onehalf mile west of road to its end, thence east and northeast around the southern side of Navajo Mountain to the end of the road to Dunns Trading Post, thence southeasterly along said road and the Rainbow Lodge Road to the junction with the road to Paiute Mesa, keeping one-half mile east of said roads, thence northerly with the Paiute Mesa road, keeping one mile west of said road, to a point one mile north of the Arizona-Utah State Line, thence south, one mile east of said road, to the junction with the road to Kayenta, thence following said road south, east and northeast to Kayenta, keeping one-half mile north of said road, thence north and northwesterly, keeping one-half mile west of the road from Kayenta to Copper Canyon, along said road to the southwest corner of T. 42 S., R. 14 E., Salt Lake Meridian, Utah, thence in an easterly direction one-half mile north of the road running north of Train Rock to the San Juan River, thence down said river in a westerly direction to its junction with Colorado River, thence southwesterly down the Colorado to Lees Ferry to the point of beginning.

### Black Mesa Roadless Area

The Black Mesa Roadless Area embraces approximately 820,000 acres on the Navajo Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Beginning at Blue Canyon on the road from Red Lake to Hotevila, thence south to the north line of T. 31 N., thence east along township line until it cuts the road from Hotevila to Rough Rock, thence northeast along said road to Rough Rock, thence north and west along the road to Kayenta, thence southwest along the road to Red Lake, thence south and east along the road to Hotevila to Biue Canyon, the point of beginning.

# Grand Canyon Roadless Area Hualpai Reservation

The Grand Canyon Roadless Area embraces approximately 530,000 acres on the reservation. It is indicated on the accompanying map! by the green lines, and may be described as all that territory lying within the following boundaries:

Beginning at the southeast corner of T. 27 N., R. 9 W., thence north to the 7th Standard Parallel, thence west about 1/3 mile to the southeast corner of T. 29 N., R. 9 W., thence north 12 miles to the southwest corner of T. 31 N., R. 8 W. thence east one mile to the southeast corner of sec. 31 of above township, thence north 5 miles to the southeast corner of sec. 6 in same township, thence 3 miles east to the southeast corner of sec. 3 in same township, thence north one mile to the northeast corner of sec. 3 in same township, thence east 9 miles to the southeast corner of sec. 30, T. 32 N., R. 6 W., thence north one mile to the northeast corner of same section, thence east to the eastern boundary of the reservation, thence north along the boundary to the Colorado River, thence down the south bank of the Colorado River in a westerly direction to the west boundary of the reservation, thence south along the west boundary to the township line between Tps. 30 and 29 N., thence east to the southeast corner of sec. 33, T. 30 N., R. 15 W. From this point the boundary parallels the roads keeping about one-half mile distant from them, the roads run as follows from the above points: Northeasterly to New Water Tank, thence southeasterly to Clay Tank, thence southeast and north to Meri Tank, thence south and east to Milkweed Tank, thence south and east to Box Canon Tank, thence south and east to Peach Spring, thence north along the road down Peach Spring Canon to the mouth of Hells Canon, thence back along the road to the junction with the road to Limestone Tank, thence east and north to Limestone Tank, thence south, east, and northeast to Blue Mountain Tank, thence northwest to the southwest corner of sec. 33, T. 27, N., R. 9 W., thence east along township line to the point of beginning.

## Painted Desert Roadless Area

The Painted Desert Roadless Area embraces approximately 525,000 acrcs on the Navajo Reservation. It is indicated on the accompanying map' by the green lines, and may be described as all the territory lying within the following boundaries:

Beginning at the Government Bridge on the Little Colorado River, thence southwesterly along Highway No. 89 to the south line of T. 28 N., thence east along said township line to the Little Colorado River, thence southeasterly up the Little Colorado River to Grand Falls, thence along the road from Grand Falls through Dinnebito and past the west side of Howell Mesa, in a northeasterly direction to the junction with the road from Hotevila to Tuba City, thence northwesterly along the Tuba City road to Moenkopi, thence southwesterly along the road from Moenkopi to Government Bridge, the point of beginning.

# Black River Roadless Area

The Black River Roadless Area embraces approximately 325,000 acres on the San Carlos-Ft. Apache Reservations. It is indicated on the accompanying map' by the green lines, and may be described as all that territory lying within the following boundaries:

Beginning on the Black River where the eastern boundary crosses said river, thence west along the north line of the unsurveyed section 35, T. 4 N., R. 27 E., approximately 434 miles to the northwest corner of sec. 31, thence south one mile to the southeast corner of unsurveyed T. 4 N., R. 26 E., about 6½ miles to the road from Fort Apache to Maverick Mountain, thence west along said road to the unsurveyed line between secs. 3 and 4, T. 3 N., R. 25 E., thence south 3½ miles to the northwest corner of sec. 27, thence west

one mile to the southeast corner of sec. 21, thence north to the road from Fort Apache to Maverick Mountain, thence in a west and northwesterly direction along said road to the south quarter corner of sec. 18, T. 4 N., R. 24 E., thence in a southwesterly direction along the road to Mud Spring Creek and continuing down Mud Spring Creek to Black River, thence down Black River in a westerly direction to the point where Black River crosses south line of T. 4 N., R. 21 E., thence south about two miles to the road running from Turkey Tanks to Point of Pines, thence in an easterly and southeasterly direction along said road past Point of Pines to the forks of the road to Willow Mountain and the surveyed location of the road to Circle Ranch, thence northeasterly, keeping one-half mile from the road, along the road to Willow Mountain, thence one mile south and turning in a southwesterly direction following the road back, keeping one-half mile from the road, to the location of the Double Circle Ranch road, thence in a southeasterly direction along said survey to the reservation boundary, thence north along the reservation boundary to the point of beginning.

### Wind River Mountain Roadless Area

The Wind River Mountain Roadless Area embraces approximately 220,000 acres on the Shoshone Indian Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries;

Starting at the south boundary of the diminished portion of the Shoshone Reservation one mile west of where it is intersected by the line between R. 2 W., and R. 3 W.; thence running north along the section line to the mutual corner of sections 23, 24, 25, and 26, in T. 1 S., R. 3 W.; thence running west along the section line to the line between R. 3 W., and R. 4 W.; thence running north along the range line to the Wind River Base line; thence running west along the base line for one mile; thence running north along the section line to the head of the stillwater on the Bull Lake inlet; thence running approximately northwest to the eighth milepost on the reservation boundary; thence running south, southeast, and east along the reservation boundary to the starting point.

# Columbia-San Poil Divide Roadless Area

The Columbia-San Poll Divide Roadless Area embraces approximately 155,000 acres on the Colville Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Starting on the north boundary of the reservation onehalf mile east of the San Poil Valley Road, and thence running approximately south one-half mile back from the San Poil road until within one-half mile of the Bridge Creek road; thence running approximatey east one-half mile back from the Bridge Creek road to the township line between ranges 35 E. and 36 E.; thence north to the Eighth Standard Parallel; thence east to the township line between ranges 35 E. and 36 E.; thence north along this line to Lynx Creek; thence running approximately east on a line parallel to Lynx Creek and one-half mile north of it; thence approximately NW one-half mile west of Hall Creek and paralleling it to the north boundary of the reservation; and thence west to the starting point; provided that a finger extending into this area for a half mile on either side of the Thirty-Mile Creek road shall be excluded from this roadless area.

### Mt. Thomas Roadless Area

The Mt. Thomas Roadless Area embraces approximately 130,000 acres on the Ft. Apache Indian Reservation. It is indicated on the accompanying map by the green lines, and

may be described as all that territory lying within the following boundaries:

Starting on the summit of Mt. Thomas and thence following the reservation boundary east and south to the Reservation Ranch; thence following the old road to Duk's Ranch to the crossing of Hurricane Creek; thence following down Hurricane Creek to its junction with Big Bonito: thence down Big Bonito to where it crosses the Odart Mt. truck trail: thence following the Odart Mt. truck trail to a point one mile west of the line between R. 24 E. and R. 25 E., thence north along the section line to the Turkey Creek truck trail; thence along the Turkey Creek truck trail to the section line between sections 8 and 9, T. 5 N., R. 25 E.; thence north along the section line to the southwest corner Sec. 4, T. 7 N., R. 25 E; thence east along the section line to the southeast corner of Sec 3; thence north two miles, thence east to the south-east corner of section 29, T. 8 N., R. 26 E., thence north to Springerville Highway, thence east to reservation boundary, thence south along reservation boundary to the summit of Mt. Thomas, the point of beginning.

### Mission Range Roadless Area

The Mission Range Roadless Area embraces approximately 115,000 acres on the Flathead Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Beginning at the point where the reservation boundary cuts the east line of sec. 33, T. 25 N., R. 19 W., thence south to the southeast corner of sec. 34, T. 23 N., R. 19 W., thence one mile west to the northwest corner of sec. 3, T. 22 N., R. 19 W., thence south to the southwest corner of sec. 34, T. 21 N., R. 19 W., thence east about 34 mile to the northwest corner of sec. 3, T. 20 N., R. 19 W., thence south to the southwest corner of sec. 3, T. 20 N., R. 19 W., thence east to the northwest corner of sec. 34, same township, thence east to the northwest corner of sec. 2, T. 19 N., R. 19 W., thence south to the road from St. Ignatius to Upper Jocko Lake, thence along said road to the summit of the Mission Mountains going round the east side of Tabor Reservoir, thence north along the east boundary of the reservation to the northeast corner of said reservation, thence west along the boundary to the point of beginning.

# Mesa Verde Roadless Area

The Mesa Verde Roadless Area embraces approximately 115,000 acres on the Consolidated Ute Reservation. It is indicated on the accompanying map' by the green lines, and may be described as all that territory lying within the following boundaries:

Starting at the point where U. S. Highway No. 666 cuts the northern boundary of the reservation, thence south along said highway to the junction with the road in sec. 31, T. 33 N., R. 17 W., thence along the road running east to Floyd Reservoir, thence along the road running to Kraft Reservoir, thence along the east and north boundary of the reservation to the point of beginning.

# Goat Rocks Roadless Area

The Goat Rocks Roadless Area embraces approximately 105,000 acres on the Yakima Reservation. It is indicated on the accompanying map' by the green lines, and may be described as all that territory lying within the following boundaries:

Starting at the point where the reservation boundary cuts the west line of sec. 18, T. 11 N., R. 14 E., thence along the boundary in a westerly and southerly direction to the point where road cuts the boundary near Potato Hill, thence east along the road to the southwest corner of sec. 31, T. 10 N., R. 12 E., thence east along the township line to the south ¼ corner of sec. 33 in same township, thence north along the road leading toward Fish Lake, keeping one-half mile west

of the road, then around the end of this road and back on the east side of the road to the junction of the roads on the main Klickitat River, thence following the west side of the road to Panther Creek Ranger Station, thence paralleling the road up the Klickitat River to Sheep Point and around its end and back to Panther Creek Ranger Station, keeping one-half mile from the road, thence north along the Old Reservation line to the point of beginning.

### Mt. Jefferson Roadless Area

The Mt. Jefferson Roadless Area embraces approximately 105,000 acres on the Warm Springs Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Starting at the junction of the Metolius and Whitewater River, thence up the Whitewater River to the line between secs. 20 and 21, T. 10 S., R. 10 E., thence north to the road from Warmsprings to Peters Pasture, thence west along said road approximately two miles, thence south around the road to Bald Peter and back again, keeping one-half mile from said road, thence west along the Peters Pasture road about one mile to the road up Lion's Head Creek, thence up said road to the line between secs. 4 and 5, T. 10 S., R. 9 E., thence north to the northwest corner of sec. 33, T. 9 S., R. 9 E., thence west about 11/2 miles around road and back, keeping half-mile from road, to the line between secs. 27 and 28, T. 9 S., R. 9 E., thence north about four miles, thence west around the road to Trout Lake and back, keeping onehalf mile from road, to the line between secs. 3 and 4, T. 9 S., R. 9 E., thence north 11/4 miles, thence west about 31/2 miles to Blue Lake and back to the line between secs. 14 and 15, T. 8 S., R. 9 E., keeping one-half mile away from road, thence north to the east 1/4 corner of sec. 3, same township, thence west about 31/4 miles and back around road, to the southwest corner of sec. 35, T. 7 S., R. 9 E., keeping one-half mile from road, thence north to the road up Bunchgrass Creek, thence up said road to the boundary of the reservation, thence south, east, and north along the boundary to the point of beginning.

### Mt. Adams Wild Area

The Mt. Adams Wild Area embraces approximately 48,000 acres on the Yakima Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Beginning at the point where the Mt. Adams Highway cuts the southern boundary of the reservation, thence north along the highway to the junction with the road to Potato Hill, thence north and west along the road to Potato Hill to the west boundary of the reservation, thence south along the boundary to the point of beginning.

# Fort Charlotte Wild Area

The Fort Charlotte Wild Area embraces approximately 19,000 acres of the Grand Portage Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Beginning at the southeast corner of sec. 3, T. 63 N., R. 5 E., thence in a northeasterly direction approximately 5 miles along west side of Highway No. 61 to the crossing of the Pigeon River, thence up the south bank of the Pigeon River in a westerly direction to the west boundary of the reservation in the northwest corner of sec. 35, T. 64 N., R. 4 E., approximately 11½ miles, thence southeasterly along the west boundary to the range line between ranges 4 and 5, east, approximately 2 miles, thence south along the range line to the ¼ corner of sec. 31, T. 63 N., R. 5 E., approximately 4¼ miles, thence east to Highway No. 61, approximately 1¼ miles, thence in a northeasterly direction along

the west side of said highway to the center north and south line of sec. 15, approximately 4¼ miles, thence north to the north ¼ corner of sec. 10, approximately 1½ mile, thence east one-half mile to the point of beginning.

#### Grand Portage Wild Area

The Grand Portage Wild Area embraces approximately 11,000 acres on the Grand Portage Reservation. It is indicated on the accompanying map' by the green lines, and may be described as all that territory lying within the following boundaries:

Starting at the southwest corner of sec. 2, T. 63 N., R. 5 E., thence east ½ mile to the ¼ corner on the south line of said sec. 2, thence south one mile to the ¼ corner on the south side of sec. 11, thence east 3½ miles to the southeast corner of sec. 8, T. 63 N., R. 6 E., thence north 1½ miles to the east ¼ corner of sec. 5, thence east approximately 2 miles to the east boundary of the reservation, thence northwesterly along the boundary approximately 3½ miles to the Pigeon River, thence west along the south bank of said river approximately 2¼ miles to Highway No. 61, thence southwesterly along the east side of highway approximately 5 miles to the point of beginning.

### Cape Flattery Wild Area

The Cape Flattery Wild Area embraces approximately 6,000 acres on the Neah Bay Reservation. It is indicated on the accompanying map by the green lines, and may be described as all that territory lying within the following boundaries:

Starting on the shore of Neah Bay where the east and west line through the center of sec. 10, T. 33 N., R. 15 W., touches the shore, thence west along said line to the west ¼ corner of sec. 10, thence south 1¼ mile to the northeast corner of allotment No. 84, thence west one mile to the line between secs. 16 and 17, thence south ¼ mile to the southeast corner of sec. 17, thence west 1½ mile to the south ¼ corner of sec. 18, thence north ½ mile to the center of sec. 18, thence west to the Pacific Ocean, thence northerly along the shore line to the point of beginning.

[F. R. Doc. 38-807; Filed, March 18, 1938; 9:52 a. m.]

# DEPARTMENT OF AGRICULTURE.

Bureau of Entomology and Plant Quarantine.

[B. E. P. Q .- 395 1 (Revised), Superseding B. E. P. Q .- 383]

LIST OF ARTICLES EXEMPT FROM CERTIFICATION REQUIREMENTS
UNDER THE JAPANESE BEETLE QUARANTINE No. 48

MARCH 18, 1938.

In accordance with the third proviso in Notice of Quarantine No. 48, as revised, the following articles, being considered innocuous as carriers of infestation, are exempted from the restrictions of this quarantine and of the rules and regulations 'supplemental thereto:

- 1. Balsam pillows, when composed of balsam needles only.
- 2. Banana stalks, when crushed, dried, and shredded.
- Dyed moss and dyed sand, when heat treated, and when so labeled on the outside of each container of such materials.
- Floral designs or "set pieces," including wreaths, sprays, casket covers, and all formal florists' designs. Bouquets and cut flowers not so prepared are not exempted.

\*2 F. R. 529 (DI).

<sup>&</sup>lt;sup>1</sup>The maps referred to were part of the original document as filed with the Division of the Federal Register, The National Archives. <sup>2</sup>1 F. R. 586.

5. Greensand or greensand marl, when treated and so labeled on the outside of each container of such materials.

- Herbarium specimens, when dried, pressed, and treated, and when so labeled on the outside of each container of such materials.
- 7. Manure, peat, compost, or humus, (1) when dehydrated and either shredded, ground, pulverized, or compressed, or (2) when treated with crude petroleum or any other product having high potency as an insecticide, and when so labeled on the outside of each commercial container of such materials, or (3) peat when imported and shipped in the unopened original container and labeled as to each container with the country of origin. (See also item 15.)
- 8. Moss, sheet (Calliergon schriberi) and (Thuridium recognitum).
- 9. Mushroom spawn, in brick, flake, or pure culture form.
- 10. Orchids, cut.
- 11. Orchid plants, when growing exclusively in Osmunda fiber.
- 12. Osmunda fiber, Osmundine, or orchid peat (Osmunda cinnamomea, and O. claytoniana).
- 13. Resurrection plant or birds'-nest moss (Selaginella lepidophylla).
- 14. Silica sand or similar material, when processed by crushing, grinding, and dehydrated silica or other rock, and when so labeled on the outside of each container of such material, or when so designated on the waybill accompanying bulk carload shipments of the material.
- 15. Sphagnum moss, bog-moss, or peat moss (Sphagna-ceae) when dried and baled. (See also item 7.)
  - 16. Submerged aquatic plants, including Crytocoryne spp.

Eel-grass or tape-grass (Vallisneria spiralis)
False loosestrife (Ludwigia mulerttii)

Fish grass, Washington plant, or Fanwort (Cabomba caroliniana)

Hornwort or coon tail (Ceratophyllum demersum)
Water milfoil (Muriophyllum spp.)

Water weed, ditch-moss, water thyme, or anacharis (Elodea canadensis).

[SEAL]

Acting Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 38-829; Filed, March 21, 1938; 12:47 p.m.]

Farm Security Administration,

DESIGNATION OF ADDITIONAL COUNTIES

NEW JERSEY

MARCH 21, 1938.

Pursuant to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and Section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendations of the New Jersey State Farm Security Advisory Committee, and supplementary funds having been allotted from the State Corporation Trust Fund for the purpose of making loans in accordance with the policy of said Title, the following additional counties are hereby designated as those in which loans, in accordance with the policy of said Title, shall be made for the fiscal year ending June 30, 1938:

Hunterdon, Middlesex, Salem.

[SEAL]

HARRY L. BROWN, Acting Secretary of Agriculture.

[F. R. Doc. 38-828; Filed, March 21, 1938; 12:47 p. m.]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

EXTENSION AND MAINTENANCE OF CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

AMENDMENT NO. 1 OF REVISED REGULATION T

On March 17, 1938, the Board of Governors of the Federal Reserve System adopted the following resolution:

Resolved, That, effective March 21, 1938, Regulation T<sup>1</sup> is amended in the following respects:

- 1. Section 4 (b) of said regulation is amended by striking out the word "and" after the semicolon in paragraph (2) of said section, by striking out the period at the end of paragraph (3) of said section and substituting therefor a semicolon and the word "and", and by adding at the end thereof a new paragraph reading as follows:
- "(4) A transaction consisting of a withdrawal of cash or registered or exempted securities from the account shall not be subject to the restrictions specified in the second paragraph of section 3 (b)."
- 2. The second paragraph following paragraph (2) of section 4 (c) of said regulation is amended by adding the following sentence at the end thereof:

"If any shipment of securities is incidental to the consummation of a transaction in a special cash account, the period applicable to the transaction under the foregoing provisions of this paragraph or the preceding paragraph shall be deemed to be extended by the number of days required for such shipment, except that the total extension of such period pursuant to this sentence shall not exceed 7 days for any transaction."

- 3. Paragraph (2) of section 4 (f) of said regulation is amended to read as follows:
- "(2) Effect and finance, for any member of a national securities exchange who is registered and acts as an odd-lot dealer in securities on the exchange, such member's transactions as an odd-lot dealer in such securities, or effect and finance, for any joint adventure in which the creditor participates, any transactions in any securities of an issue with respect to which all participants, or all participants other than the creditor, are registered and act on a national securities exchange as odd-lot dealers."

Adopted by the Board of Governors of the Federal Reserve System on March 17, 1938.

[SEAL]

S. R. CARPENTER, Assistant Secretary.

[F. R. Doc. 38-823; Filed, March 21, 1938; 9:55 a. m.]

### FARM CREDIT ADMINISTRATION.

[FCA 83]

AMENDMENT OF RULES AND REGULATIONS FOR PRODUCTION
CREDIT ASSOCIATIONS

CONVERSION OF CLASS A INTO CLASS B STOCK

Pursuant to the provisions of the Farm Credit Act of 1933, particularly sections 20 and 80 (b) thereof, the first paragraph of section 104 j (1) of the Rules and Regulations for Production Credit Associations is hereby amended to read as follows:

"Upon the authorization of a loan to a holder of class A stock, and in accordance with such terms and conditions as may be prescribed by the corporation so long as it is the holder of any stock of the association, the board of directors may permit the conversion of such class A stock, at its fair book value (not to exceed par), into class B stock to the extent necessary to give the holder sufficient class B stock

<sup>12</sup> F.R. 3368 (DI); 3 F.R. 3 (DI).

for the authorized loan; provided, that any remaining fractional share of class A stock may be included in the number of shares of class A stock to be so converted."

[SEAL]

S. M. GARWOOD, Production Credit Commissioner,

[F. R. Doc. 38-827; Filed, March 21, 1938; 12:12 p. m.]

### FEDERAL HOME LOAN BANK BOARD.

Home Owners' Loan Corporation.

AMENDMENTS OF THE LOAN SERVICE CHAPTER OF THE MANUAL MODIFYING PROCEDURE FOR THE PERSONAL SERVICING OF ACCOUNTS

Be it resolved. That pursuant to the authority vested in the Board by Home Owners' Loan Act of 1933 (48 Stat. 128, 129) as amended by Sections 1 and 13 of the Act of April 27, 1934 (48 Stat. 643-647) and particularly by subsections (a) and (k) of Section 4 of said Act as amended, Sections 203, 204, and 205 of the Loan Service Chapter of the Manual be amended in the following respects:

Section 203 (c) is hereby amended to read as follows:

The Control Supervisor shall be responsible for assignment of cases for personal service and for review of the action taken.

Section 204 is amended by inserting at the beginning of the first paragraph the words "Except as otherwise provided in this Chapter".

The second paragraph of Section 204 is hereby amended to read as follows:

Where necessary in the interest of more effective operation, procedure adopted under the authority contained in this resolution may provide for the handling of Loan Service operations directly between Regional and District Offices or between Regional Offices and Field Representatives; and upon the recommendation of the Deputy General Manager in Charge of Loan Service, procedure may be adopted which will authorize Loan Service personnel to service accounts located across a state line, when the General Manager determines that such action will be productive of administrative economy or for the best interest of the Corporation.

Section 205 is amended by adding the following language at the end of said Section:

The provisions of this Section are subject to special procedure authorized by the Board in Section 204.

Adopted by the Federal Home Loan Bank Board on March 16, 1938.

[SEAL]

H. CAULSEN.
Assistant Secretary.

[F. R. Doc. 38-821; Filed, March 19, 1938; 10:05 a. m.]

### RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 214]

AMENDMENT OF ALLOCATION OF FUNDS FOR LOANS

MARCH 16, 1938

I hereby amend Administrative Order No. 159 by rescinding \$5,000 of the total \$10,000 allotted to Iowa 8036W Wright, leaving the sum of \$5,000 allotted to this project.

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-818; Filed, March 19, 1938; 9:29 a. m.]

12 F. R. 2847 (DI). No. 56—2 [Administrative Order No. 215]
ALLOCATION OF FUNDS FOR LOANS

MARCH 17, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:

Amount

Minnesota 8048A2 Anoka

JOHN M. CARMODY, Administrator.

[F.R. Doc. 38-819; Filed, March 19, 1938; 9;30 a.m.]

# SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities
and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 18th day of March, A. D. 1938.

[File No. 43-108]

IN THE MATTER OF LOUISIANA STEAM GENERATING CORPORATION AND GULF STATES UTILITIES COMPANY

#### NOTICE OF AND ORDER FOR HEARING

A declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by Louisiana Steam Generating Corporation and Gulf States Utilities Company, subsidiary companies of Engineers Public Service Company, a registered holding company, regarding the issue and sale by said Louisiana Steam Generating Corporation of a maximum principal amount of \$1,000,000 of its promissory notes due November 19, 1940, to bear interest at the rate of 3% per annum (interest to be adjusted annually) to Engineers Public Service Company, as evidence of loans to declarant for construction purposes and regarding the assumption by said Gulf States Utilities Company of said notes, if and when it shall acquire the properties and business of said Louisiana Steam Generating Corporation;

It is ordered, That a hearing on such matter be held on April 4, 1938, at ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before March 30, 1938.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-825; Filed, March 21, 1938; 11:23 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 18th day of March, 1938.

## [File No. 1-2140]

In the Matter of Botany Consolidated Mills, Inc. Certificates of Deposit Representing Ten-Year Secured 61/2% Sinking Fund Gold Bonds, Due April 1, 1934

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to strike from listing and registration the Certifi-

cates of Deposit representing Ten-Year Secured 6½% Sinking Fund Gold Bonds due April 1, 1934, of Botany Consolidated Mills, Inc.; and

After appropriate notice, a hearing having been held in

this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on April 18, 1938.

By the Commission.

LOWAT.

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 38-826; Filed, March 21, 1938; 11:23 a. m.]

13 F.R. 248 (DI).